



Alan C. Lloyd, Ph.D.
Agency Secretary

California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Arnold Schwarzenegger
Governor

Certified Mail: 7003 1680 0000 6174 7701

March 30, 2006

Mr. Dave Johnston, Program Manager
El Dorado County Environmental Health
2850 Fairlane Court
Placerville, California 95667

Dear Mr. Johnston:

The California Environmental Protection Agency (Cal/EPA) and the Office of Emergency Services conducted a program evaluation of El Dorado County Environmental Health's Certified Unified Program Agency (CUPA) on August 9, 2005. The evaluation was comprised of an in-office program review. The state evaluators completed a Certified Unified Program Agency Evaluation, Summary of Findings with your agency's program management staff, which includes identified deficiencies, preliminary corrective actions and timeframes. Two additional evaluation documents are the Program Observations and Recommendations and the Examples of Outstanding Program Implementation. I have reviewed the enclosed copy of the Summary of Findings and I find that El Dorado County Environmental Health's program performance is satisfactory with some improvement needed. Cal/EPA's Unified Program staff will coordinate with your agency to track the correction of any identified deficiencies over the time frame and schedule included in the Summary of Findings.

Thank you for your continued commitment to the protection of public health and the environment. If you have any questions or need further assistance, you may contact Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or jbohon@calepa.ca.gov.

Sincerely,

Don Johnson
Assistant Secretary
California Environmental Protection Agency

Enclosures
cc: See next page

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cc: Mr. Dave Johnston, Program Manager (Sent Via Email)
El Dorado County Environmental Health
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Placerville, California 95667

Mr. Jack Harrah (Sent Via Email)
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Ms. Liz Haven (Sent Via Email)
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Mr. Charles McLaughlin (Sent Via Email)
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Ms. Vickie Sakamoto (Sent Via Email)
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Mr. Moustafa Abou-Taleb (Sent Via Email)
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STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY



Alan C. Lloyd, Ph.D.
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**CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION
SUMMARY OF FINDINGS**

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CUPA: El Dorado County Environmental Management Department

Evaluation Date: August 9, 2005

EVALUATION TEAM

Cal/EPA: Dennis Karidis

OES: Jack Harrah

This Summary of Findings includes the deficiencies identified during the evaluation, observations and recommendations for program improvement, and examples of outstanding program implementation activities. The evaluation findings are preliminary and subject to change upon review by state agency and CUPA management.

Questions or comments can be directed to Dennis Karidis at 916-327-9558.

| | <u>Deficiencies</u> | <u>Preliminary Corrective Action</u> | <u>Timeframe</u> |
|----------|---|--|-------------------------|
| 1 | The CUPA is not consistently ensuring that businesses found to have minor violations return to compliance within 30 days from the date of the notice to comply. Based on a review of the CUPA's files, some businesses found to have minor violations did not submit documentation demonstrating the violations have been corrected. In addition, the CUPA is not consistently ensuring that businesses found to have minor violations sign a notice to comply certifying that the violation(s) have been corrected, and return it to the CUPA. | Implement the use of a certification form. The CUPA is interviewing for one new staff member the week of August 15-19, 2005. | 30 days |


Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

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|---|--|---|-----------------------------------|
| 2 | <p>The CUPA is not consistently citing violations in a manner consistent with the definitions of Minor, Class II or Class I as provided in statute and regulation. The inspection report contains a column titled Violations. In many cases the inspection reports do not have any violations classified. In addition the CUPA is not adequately tracking information necessary to accurately complete the annual state summary reports. Specifically, violation types (Class I and Class II) are not being tracked and reported to the state through the envision database.</p> | <p>Staff review definitions and begin consistently citing each violation listed in the inspection reports. Data entry will include logging violation type into the envision database.</p> | <p>Immediately</p> |
| 3 | <p>The CUPA has not inspected all businesses subject to the HMRRP and CalARP every three years. For example, the annual summary reports state:</p> <p><u>HMRRP</u></p> <ul style="list-style-type: none"> • 61 of 509 inspections were completed in 2001-2002. • 121 of 530 inspections were completed in 2002-2003. • 151 of 602 inspections were completed in 2003-2004. <p><u>CalARP</u></p> <ul style="list-style-type: none"> • 0 of 4 inspections were completed in 2001-2002. • 0 of 4 inspections were completed in 2002-2003. • 0 of 4 inspections were completed in 2003-2004. | <p>The CUPA is interviewing for one new staff member the week of August 15-19, 2005.</p> | <p>October 1, 2005</p> |
| 4 | <p>Of the 13 files reviewed, 5 did not contain current annual inventories or certifications that are required by March 1st.</p> | <p>The CUPA has recently acquired a database manager (Todd). The CUPA is interviewing for one new staff member the week of August 15-19, 2005.</p> | <p>March 1st, 2006</p> |

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

CUPA Representative

Dave Johnston
(Print Name)


(Signature)

Evaluation Team Leader

Dennis Karidis
(Print Name)

Dennis KARIDS
(Signature)

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

PROGRAM OBSERVATIONS AND RECOMMENDATIONS

1. **Observation:** After reviewing several inspection reports the following was found:

- Observations necessary to fully understand the regulated activities at the site were not always noted in the inspection report.
- Several violations and corrective actions identified in the inspection reports lacked sufficient detail necessary to establish the elements of a violation and the corrective action to be taken. Violations and corrective action language should be clear enough so that a third party can understand.

Recommendation: Utilize the Inspection Report Writing Guidance document that was developed jointly by the CUPA Forum Board and Cal/EPA. Copies can be found on the Cal/EPA Unified Program website.

2. **Observation:** The CUPA leaves an inspection report with violations, corrective actions, and corrective action dates. However, the inspection report does not contain instructions that direct the business to certify violations have been corrected and that it be returned to the CUPA.

Recommendation: Leave the business an inspection report containing instructions that the business certify correction of the violation(s) and return it to the CUPA

3. **Observation:** The CUPA is currently contracting with Chris Boykin to update El Dorado County's Hazardous Materials Area Plan.

Recommendation: Ensure that Chris Boykin addresses all the elements from Title 19; Sections 2720-2728.

4. **Observation:** The CUPA's annual self audit does not contain all of the required elements described in Title 19.

Recommendation: Include all of the elements required by Title 19 in the annual self audit.

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

1. The CUPA is involved in the following outreach activities:
 - Distribution of various brochures to the public including household hazardous waste, used oil, re-refined oil, universal waste, and clean boating practices.
 - Brochures promoting hazardous waste collection activities at a number of sites throughout the county including used oil, electronic waste, universal waste, and marina wastes are distributed to the public.
 - Distribution of clean boating kits at all marina locations.
 - Distribution of California compliance school flyers to all hazardous waste generators in the county. The county has a contract with DTSC to fund the first 20 generators interested in attending. The class is scheduled for October.
 - Household hazardous waste events are held frequently at a number of collection sites throughout the county.
 - There are 21 used waste oil collection sites throughout the county. Small quantity generators and agricultural facilities are encouraged to utilize this cost effective resource.

2. The CUPA meets with the following groups on a regular basis:
 - Sierra Nevada Environmental Crimes Task Force
 - Multi Agency Task Team (countywide agency enforcement issues)
 - Fire Chiefs
 - Fire Prevention
 - Local Environmental Planning Committee

3. The CUPA is the Hazardous Materials incident response team for the county of El Dorado.

4. The CUPA has previously provided training for agricultural commissioner inspectors on the applicable Unified Program requirements.

5. The CUPA has consistently referred cases to the District Attorney and Circuit Prosecutor.

6. The CUPA has recently implemented a re-inspection fee to promote compliance.